



(This meeting was recorded.)

EMPLOYEES RETIREMENT BOARD

The Employees Retirement Board held a regular meeting in Meeting Room A, 2nd Floor, City Hall, 2600 Fresno Street, Fresno, California at the hour of 2:30 p.m. on the day above written.

Roll Call at 2:43 p.m.

Present:

William Quick	Chair
Carla Lombardi	Vice Chair
Darrell Fifield	Member
Frank Balekian	Member
Marvell French	Member

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APPROVE MINUTES OF AUGUST 13, 2003
AND SEPTEMBER 8, 2003

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ON MOTION of Member Balekian seconded by Member French, duly carried, RESOLVED to approve the minutes of August 13, 2003 and September 8, 2003, hereby approved by the following vote:

Ayes:	Quick, Lombardi, Balekian, Fifield, French
Noes:	None
Abstain:	None
Absent:	None

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Chair Quick briefly states that anyone present regarding the discussion of the PRSB to please fill out a request to speak form, turn this form in to the Secretary and that speaking time will limited to 5 minutes per person.

APPROVE AGENDA OF OCTOBER 8, 2003

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Upon call and hearing no objection, agenda of October 8, 2003, is approved as amended.

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TIMED SCHEDULED HEARINGS AND
MATTERS

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2:35 p.m. Public hearing to consider corrections of a calculation error to the Post Retirement Supplemental Benefit ("PRSB") for the Employees Retirement System for calendar year 2003.

2:44 p.m. Chair Quick opens public hearing and directs Administrator McDivitt to continue.

Administrator McDivitt reviewed and clarified the issue as presented and continues with the recommendation of the Administrative Committee.

Russ Richeda, Legal Counsel provided background as to the Board's fiduciary duty with respect to this issue stating his position today is to assure that the Board adheres to the agenda item as listed on the agenda.

Member Balekian introduces an option for consideration that the amount payable be reduced down to the correct amount of \$332.36, the amount of \$17.49 be paid back over the same nine month period that it was overpaid in, this is consistent with other provisions of the retirement code and requests that the pay back be in the same time frame within the nine months this was paid and would like to add this as an option for consideration.

Chair Quick stating this is affecting retirees and what we need today is how to do this without dramatic affect.

In response, Legal Counsel states that his proposed option would result in paying more out of the PRSB than we have in the PRSB and the Code does not accord us that option with Member Balekian responding. In response, Legal Counsel Richeda refers to subsection H of the PRSB provision of the Municipal Code. In opposition to legal counsel remarks, Member Balekian responds and repeats his option as proposed. Legal Counsel responds to reserve the right to review this option as presented.

Chair Quick states he is not in opposition to the options as presented but would like to hear from those affected.

Upon request, request to speak forms are presented to the Chair.

Speaking to the issue were:

Ed Horanic, President of FORCE, 41125 Dawn Avenue; Bob Markus, 3873 E. Lyell; Violet Lee, 1741 Rall,; Stan Veit, 1413 W. Griffith Way; Burt Krause, 39612 S. Lilley Way, withdrew his request to speak stating his question had been answered; Robert Lauderdale, 5054 N. Athens; Richard Ames, 4516 N. 10th; Betty Niles, 3533 E. Gettysburg; Jonathan Davis, 5271 S. East Ave; Tony Atkisson, PO Box 7995.

Extensive discussion follows with Administrator McDivitt, Board Council Richeda and Chair Quick responding.

3:24 p.m. Upon call and hearing no further requests to speak, public hearing is closed by Chair Quick.

Member Balekian clarifies to the audience that this matter must be acted upon today and briefly summarizes the options followed by Chair Quick clarifying the issue and Administrator McDivitt reviewing the options as presented.

There are some inaudible comments from the audience with Administrator McDivitt responding.

Chair Quick entertains a motion.

ON MOTION of Member Balekian seconded by Member French, duly carried, RESOLVED to accept Option 2, to adjust the current PRSB amount of \$349.85 to \$332.36 for October and November and adjust PRSB payment in December to approximately \$188.00, to correct the calculation error to the Post Retirement Supplemental Benefit ("PRSB") for the Employees Retirement System for calendar year 2003, hereby approved by the following vote:

Ayes:	Quick, Lombardi, Balekian, Fifield, French
Noes:	None
Abstain:	None
Absent:	None

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CONSENT CALENDAR

CONFIRM DATE AND TIME FOR THE NEXT REGULAR MEETING OF THE EMPLOYEES RETIREMENT BOARD FOR 2:00 P.M. ON NOVEMBER 12, 2003, FRESNO CITY HALL, 2600 FRESNO STREET, MEETING ROOM 2165-A

APPROVE APPLICATION FOR SERVICE RETIREMENT FILED BY LINDA F. BOUDREAU, A VESTED MEMBER, TO BE EFFECTIVE SEPTEMBER 4, 2003.

APPROVE APPLICATION FOR SERVICE RETIREMENT FILED BY KENNETH D. DICKEY, AN EMPLOYEE IN THE PARKS AND RECREATION DEPARTMENT, TO BE EFFECTIVE OCTOBER 1, 2003.

APPROVE APPLICATION FOR SERVICE RETIREMENT FILED BY SHARON C. ELIZONDO, AN EMPLOYEE IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT, TO BE EFFECTIVE OCTOBER 8, 2003.

APPROVE APPLICATION FOR SERVICE RETIREMENT FILED BY CHARLOTTE ANN PIERCE, A VESTED MEMBER, TO BE EFFECTIVE OCTOBER 14, 2003.

APPROVE APPLICATION FOR SERVICE RETIREMENT FILED BY DIANNE A. BRIGGS, AN EMPLOYEE IN THE DEPARTMENT OF INFORMATION SERVICES, TO BE EFFECTIVE NOVEMBER 1, 2003.

APPROVE APPLICATION FOR ALLOWANCE – DEATH BEFORE RETIREMENT FILED BY KELLY D. LAY, SURVIVING SPOUSE OF RONNIE D. LAY, WHO PASSED AWAY ON AUGUST 27, 2003.

APPROVE APPLICATION FOR DEFERRED RETIREMENT OPTION PROGRAM (DROP) FOR THE FOLLOWING INDIVIDUALS AS OF NOVEMBER 1, 2003:

Diane Z. Abrahamian
Esther Perez Martin
Augustine Nunez
Ralph Waterhouse

ACCEPT REPORT OF RETIREMENT REFUNDS:

<u>Employee</u>	<u>Separation Date</u>	<u>Amount</u>
Anthony B. Lopez	05/30/03	\$ 2,830.33
Regina Johnson	06/13/03	\$ 865.58
Dustin J. Jones	06/17/03	\$ 1,680.64
Robert S. English	07/01/03	\$ 15,372.69
Lora D. Arnold	08/08/03	\$ 7,631.91
Summer S. Novak-Moreno	08/19/03	\$ 1,460.78
Felton Brooks-Connor*	08/29/03	\$ 13,121.71

* over 5 years of service

CHANGE OF BENEFICIARY

Gary L. Dilley	Trisha Herr	Richard Snyder
Samuel D. Esquivel	John L. Hutson	David A. Stiglich
Melissa Flores	Ray C. Davis	Norman A. Takeuchi
Garth R. Gaddy	Barbara L. Jensen-McKee	Joseph L. Tapia
Judy Garcia	Tracy L. Johnson	Judi Tapia
Angel Gonzalez	Nora Laikam	Ramiro Villa
Armando Gonzalez	Donna J. Polman	Kendry Wukits Mull

ON MOTION of Member Balekian seconded by Member French, duly carried, RESOLVED to approve the consent calendar, hereby approved by the following vote:

Ayes: Quick, Lombardi, Balekian, Fifield, French
Noes: None
Abstain: None
Absent: None

EMPLOYEE PERSONNEL ISSUES

INFORMATION REGARDING APPLICATION
FROM LINDA MARTINO-VONDRACEK TO
CONVERT ORDINARY DISABILITY
RETIREMENT TO A SERVICE-CONNECTED
DISABILITY RETIREMENT.

Information is received as presented. No action taken.

CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
DETERMINATION OF WHETHER TO
INITIATE LITIGATION: PURSUANT TO
GOVERNMENT CODE SECTION 54956.9
SUBDIVISION (B): SIGNIFICANT
EXPOSURE TO LITIGATION INVOLVING
PENSIONABLE COMPENSATION
1. CITY OF FRESNO RETIREMENT
SYSTEMS V. CITY OF FRESNO

No action was reported out of closed session.

STAFF INITIATED ITEMS

None

BOARD INITIATED ITEMS

None.

GENERAL DISCUSSION

None.

INFORMATION ONLY ITEMS

None.

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UNSCHEDULED ORAL COMMUNICATIONS

None.

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PROPOSED AGENDA ITEMS FOR NEXT BOARD MEETING

None.

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PUBLIC COMMENTS

None.

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ADJOURNMENT – 2:47 p.m.

There being no further business to bring before the Board, and hearing no objections, the Chair Quick declares the Employees Retirement Board meeting adjourned.

William Quick, Chair
Employees Retirement Board

Retirement Board Secretary/Deputy